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Attorneys for Benchmark Electronics

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

In re Capacitors Antitrust Litigation

Case No. 17-md-02801-JD

This document relates to:

**STIPULATION AND [PROPOSED]
ORDER OF DISMISSAL**

Benchmark Electronics, Inc.; Benchmark Electronics Huntsville, Inc.; Benchmark Electronics Manufacturing Solutions (Moorpark), Inc.; Benchmark Electronics Manufacturing Solutions, Inc.; Benchmark Electronics Phoenix, Inc.; Benchmark Electronics Tijuana, S. de R.L. de C.V.; and Benchmark Electronics De Mexico S. de R.L. de C.V. Case No. 17-cv-7047

1 Plaintiffs Benchmark Electronics, Inc., Benchmark Electronics Huntsville, Inc.,
2 Benchmark Electronics Manufacturing Solutions (Moorpark), Inc., Benchmark Electronics
3 Manufacturing Solutions, Inc., Benchmark Electronics Phoenix, Inc., Benchmark Electronics
4 Tijuana, S. de R.L. de C.V. and Benchmark Electronics de Mexico S. de R.L. de C.V.,
5 (collectively, "Benchmark") and Defendants TOKIN Corporation (formerly known as NEC TOKIN
6 Corporation), TOKIN America, Inc. (formerly known as NEC TOKIN America, Inc.), KEMET
7 Corporation, and KEMET Electronics Corporation (together the "TOKIN Parties") pursuant to Rule
8 41(a)(2) of the Federal Rules of Civil Procedure hereby stipulate to the dismissal of the present
9 action with prejudice and state as follows:

10 1. Benchmark and the TOKIN Parties seek the dismissal of this action against the
11 TOKIN Parties with prejudice.

12 2. Benchmark and the TOKIN Parties agree that each party shall bear its own costs
13 and attorneys' fees in connection with these actions.

14 3. This stipulation does not affect the rights or claims of Benchmark against any
15 other defendant or alleged co-conspirator in this litigation.

16 WHEREFORE, the parties respectfully request that this Court issue an Order of
17 Dismissal against the TOKIN Parties only.

18 **IT IS SO STIPULATED**

19 Dated: June 25, 2019

20 /s/ Scott N. Wagner
21 Robert W. Turken (admitted *pro hac vice*)
22 Scott N. Wagner (admitted *pro hac vice*)
23 Lori P. Lustrin (admitted *pro hac vice*)
24 Shalia M. Sakona (admitted *pro hac vice*)
25 Jerry R. Goldsmith (admitted *pro hac vice*)
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20 /s/ Jacob R. Sorensen
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5 *Counsel for Benchmark*

6
7 TOKIN America, Inc., KEMET Corporation,
8 and KEMET Electronics Corporation

9
10 **ECF ATTESTATION**

11 I, Scott N. Wagner, an ECF User whose ID and Password are being used to file
12
13 STIPULATION AND [PROPOSED] ORDER OF DISMISSAL.

14 In compliance with Civil Local Rule 5-1, I hereby attest that counsel for has concurred in
15 this filing.

16
17 DATED: June 27, 2019

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19 By: /s/ Scott N. Wagner
20
21 Scott N. Wagner

1 PURSUANT TO STIPULATION, IT IS SO ORDERED.
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3 Dated: July 18, 2019
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UNITED STATES DISTRICT JUDGE

